

REMARKS

Claims 1-4, 8 and 9 were amended, and claims 1-9 are currently pending. In light of the foregoing amendments and the following remarks, Applicants respectfully request reconsideration and withdrawal of the pending rejections and advancement of this application to issue.

I. Amendments to the Specification

The specification has been amended to include the serial numbers of co-pending patent applications. Applicants respectfully submit that the amendments add no new matter.

II. Rejection of the Claims Under 35 U.S.C. § 103(a)

In the Office Action dated March 28, 2005, the Examiner rejected Claims 1-9 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,393,126 ("*van der Kaay*") in view of U.S. Patent No. 5,334,975 ("*Wachob*"). Applicants respectfully traverse this rejection.

Claims 1-4 and 8-9 have been amended to clarify their originally intended scope and place them in better form for consideration. These amendments do not add new matter and do not narrow the claimed subject matter.

Claim 1 recites, "a substation controller in electrical communication with a power distribution line." In contrast, and as admitted by the Examiner, *van der Kaay* does not teach or suggest the aforementioned recitation. (See Office Action, page 3, lines 1-3.)

Wachob does not overcome *van der Kaay*'s deficiencies. *Wachob* merely discloses that a time reference is received by a CATV converter, then encoded and modulated for transmission on a residential AC wiring system, which also carries AC power to all of the appliances in a house. (See Abstract.) *Wachob* does not disclose or suggest a power distribution line. If *Wachob*'s residential AC wiring system were operated at a voltage level normally associated with a power distribution line, all of the appliances in the house would be damaged rendering the disclosed system inoperable. Like *van der Kaay*, *Wachob* does not teach or suggest transmitting or retrieving time via a power distribution line.

Combining *van der Kaay* with *Wachob* do not lead to the claimed invention because *van der Kaay* and *Wachob*, either individually or in combination, does not disclose or suggest "a substation controller in electrical communication with a power distribution line," as recited by Claim 1. Accordingly, independent Claim 1 is patentably distinct from the cited art, and Applicants respectfully request withdrawal of the rejection of Claim 1.

Dependent Claims 2-9 incorporate all of the elements of Claim 1 and are thus patentably distinct from the cited references for at least for the reasons described above. Accordingly, Applicants respectfully request withdrawal of the rejection of dependent Claims 2-9.

III. Conclusion

In view of the foregoing remarks, Applicants respectfully request the reconsideration and reexamination of this application and the timely allowance of the

pending claims. Applicants note that there may be other reasons that the claims are patentably distinct from the cited references in addition to those raised herein and reserve the right to raise any such reason or related argument in the future.

Furthermore, the Office Action contains a number of statements reflecting characterizations of the related art and the claims. Regardless of whether any such statement is identified herein, Applicants decline to automatically subscribe to any statement or characterization in the Office Action.


Please grant any extensions of time required to enter this response and charge any additional required fees to our deposit account 13-2725. Feel free to contact the undersigned attorney if there are any questions or if a telephone interview otherwise would be helpful in advancing this application to allowance.

Respectfully submitted,
MERCHANT & GOULD P.C.

P.O. Box 2903
Minneapolis, MN 55402-0903
404.954.5066

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DKS:mdp



D. Kent Stier
Reg. No. 50,640

